

Staff Summary Report



Council Meeting Date: 11/13/03

Agenda Item Number: 22

SUBJECT: This is the first public hearing to abandon an easement for ingress and egress located at 1001 East Lemon Street.

DOCUMENT NAME: 20031113PWMG04 EASEMENT ABANDONMENT (0904-02)
ORDINANCE NO. 2003.33

SUPPORTING DOCS: Yes

COMMENTS: University Properties has requested this abandonment to alleviate the public right of way through what is to become a private covered parking area for their tenants. Access is available for services at other locations and is to be dedicated on a recorded plat.

PREPARED BY: CAROL MARTSCH, SR. ENGINEERING ASSOCIATE (x8524)

REVIEWED BY: ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

LEGAL REVIEW AS TO FORM: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Ordinance No. 2003.33 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2003.33

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A 20-FOOT EASEMENT FOR ROADWAY AND INGRESS EGRESS AS RECORDED IN DOCUMENT NO. 4824, PAGE 560, MARICOPA COUNTY RECORDS, MARICOPA COUNTY, ARIZONA, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP ONE NORTH, RANGE 4 EAST, G&SRB&M.

WHEREAS, it has been determined by the City Council of the City of Tempe that a 20-foot public easement is no longer required by the City for use as such; and,

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate a 20-foot public easement described and shown in Exhibits "A" and "A-1" hereto attached.

SECTION II. That all rights of the City in the portion of the easement to be abandoned shall vest in the record owner(s) and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the land is a part.

Ordinance No. 2003.33

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SECTION III: The Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this _____ day of _____, 2003.

Mayor

ATTEST:

City Clerk



D & M Engineering

1833 W. Main St., STE 141
Mesa, AZ 85202
(480) 350-9590
(480) 350-9486 (fax)

EXHIBIT "A"

LEGAL DESCRIPTION ABANDONMENT

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ALSO BEING A PORTION OF A INGRESS EGRESS EASEMENT AS RECORDED IN DOCUMENT NO. 4824, PAGE. 560 MARICOPA COUNTY RECORDS, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23, SAID POINT BEING A FOUND BRASS CAP IN A HAND HOLE;

THENCE S00°00'00"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 1889.07 FEET TO A FOUND BRASS CAP FLUSH;

THENCE S88°34'19"E A DISTANCE OF 607.19 FEET;

THENCE S00°00'00"E A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING

THENCE CONTINUING ALONG THE BEARING OF S00°00'00"E A DISTANCE OF 292.90 FEET,

THENCE N89°59'05"W A DISTANCE OF 19.33 FEET;

THENCE N00°00'00"E A DISTANCE OF 293.37 FEET;

THENCE S88°34'19"E A DISTANCE OF 19.34 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINS: 5,667.28 SQUARE FEET OF LAND, MORE OR LESS.

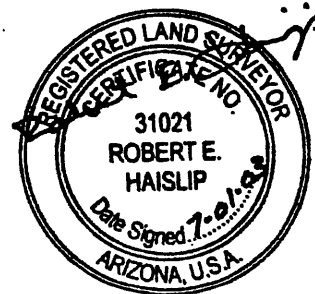


EXHIBIT "A-1"

INGRESS/EGRESS ABANDONMENT

A. PORTION OF THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 1 NORTH, RANGE 4 EAST.

N.W. COR SEC 23
P.O.C.

UNIVERSITY DRIVE



RURAL ROAD

N00°00'00"E
1889.07'

N00°00'00"E
751.23'

LEMON STREET
S88°34'19"E
607.19'

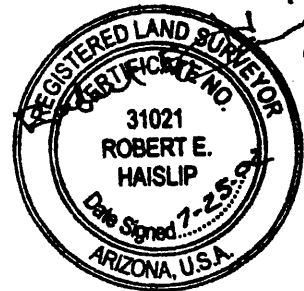
S88°34'19"E
19.34'

S00°00'00"W
25.01'

P.O.B.

293.37'
292.90'

N00°00'00"E
S00°00'00"W



P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING

W 1/4. COR SEC 23

N89°59'05"W
19.33'

CLIENT/PROJECT

EXHIBIT A

TITLE

ABANDONMENT

DESIGNED RCH

DRAWN RCH

CHECKED

DATE 8-30-03

SCALE 1"=60'

PROJECT 010305

FILE NAME

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D & M ENGINEERING

Duran Thompson, P.E.

1833 W. Main St., Suite 141

Mesa, AZ 85201

Ph: (480) 350-9590

Fax: (480) 350-9486

E-Mail: dmengineering@qwest.net